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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MARGIE MCRAE,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER
OF THE SOCIAL SECURITY
ADMINISTRATION; GEORGE W. BUSH,
PRESIDENT OF THE UNITED STATES
OF AMERICA,

Defendants.

No. C 07-1538 SBA

**ORDER GRANTING MOTION TO
DISMISS**

1 For good cause shown, the Court hereby grants the motion.

2 Under Federal Rule of Civil Procedure 4(i), plaintiff McRae was required to serve the
3 complaint on the United States Attorney General, Commissioner of the Social Security
4 Administration and Commissioner of the Internal Revenue Service. Plaintiff has not done so,
5 and more than 120 days has passed since the filing of the complaint on March 16, 2007.

6 In addition, plaintiff's summons was defective because it failed to list all three federal
7 officers that Rule 4 requires plaintiff to serve. Specifically, the summons did not list the U.S.
8 Attorney's Office.

9 Plaintiff must follow the rules of service of process.

10 Therefore, the complaint is dismissed without prejudice.

11 **SO ORDERED.**

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13 Dated: September __, 2007

14 Hon. SAUNDRA B. ARMSTRONG
15 UNITED STATES DISTRICT JUDGE
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